

Final, as approved by ConsCom on 11-7-12:¹

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Town Of Acton Conservation Lands Memorial Bench Policy

A. Purpose:

To provide a consistent, appropriate process that enables individuals and organizations to honor or memorialize current and former members of the Acton community who have had a special connection to Acton's conservation lands in a manner that also supports the open space needs of the Town of Acton.

B. What may be donated:

This policy focuses on the donation of new or replacement benches (with or without recognition plaques or engraving) which contribute to the overall visitor experience and preserve the character of the conservation land setting.

C. Placement:

✓ Approved benches will be placed in Acton's *conservation lands.

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✓ It is envisioned that a limited number of benches will be placed on each conservation land, and that they will generally be placed near, but not on, established trails.

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✓ A donor may request placement in a specific parcel of conservation land, and a particular location within that parcel; however, the exact placement (parcel and specific location) will be determined jointly by Acton's Land Stewardship Committee (LSCom) and the Natural Resources Director of the Town of Acton. See "Administrative Procedure" below.

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✓ LSCom and the Natural Resources Department will jointly develop and maintain maps for each conservation land for which a prospective donor makes a bench donation proposal. These maps will show the location of existing benches and other acceptable locations for future benches, based upon the joint determinations of LSCom and the Natural Resources Director. Placements will be considered based upon such relevant factors as:

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- o aesthetic attributes;
- o avoiding disturbance to the visual plane;
- o wildlife observation opportunities;
- o avoiding sensitive ecology or habitat; and
- o the number of other existing benches at the parcel.

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¹ Sorry about all the formatting changes that are showing up, and the loss of my original "table" formatting in this redlined version of the document. Unfortunately, I was not provided a copy of the final version of the Bench Policy, as approved by ConsCom, in "Word" format. This was the quickest and easiest way to generate a "redlined" version that would highlight the text changes from what LSC unanimously recommended for approval by ConsCom 13 months earlier.

Final location of a particular bench may be subject to change depending upon installation conditions.

The Town retains the right to relocate a donated bench and/or plaque at any time.

*For purposes of this Policy, the term “conservation lands” also includes the recreation lands associated with Great Hill Conservation Land, but does not include the Acton Arboretum. Those interested in bench donation opportunities at the Acton Arboretum will be referred to the Friends of the Acton Arboretum at info@actonarboretum.org

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D. Specifications:

Benches and materials used for specific parcels and sites will generally conform to:

the style already successfully utilized at that parcel or similar sites; or

the particular function for that bench (e.g., a bench for bird-watching will have a back; non-“birder” benches for extremely naturalized surroundings might be backless and made of granite slabs); or

other standards established by LSCOM and the Natural Resources Director from time to time.

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E. Recognition:

Depending upon the style of bench, a small plaque or engraving identifying the donor and/or celebrated individual will be accepted. The availability, size, number of lines, material and placement upon the bench of a particular recognition will generally depend upon the style of bench. Examples of acceptable recognitions include: “In memory of [Name] [Dates]” and “In honor of [Name(s)] by [Organization Name].”

F. Cost:

Donors should be advised to anticipate at least the following costs in connection with this Policy:

a. Cost of the bench (incl. recognition, if applicable), as charged by the bench supplier; plus

b. Shipping and handling, as charged by the supplier; plus

c. Costs related to installation, administration, maintenance and/or insurance, as estimated by the Town, including any permits.

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a. Application fee of \$25.00 ¶
2. Upon approval of Application, to be submitted with Order Form:

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e. Other allocable costs (e.g., insurance) over 5 years, as estimated by the ¶ Town. ¶
Items 2a, 2b and 2c tend to vary depending upon the style of bench.

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G. Administrative procedure:

Applications are reviewed year-round. However, the timing of bench installation depends upon the time of year an application is received, the number of other pending applications and installations, and the availability of Town staff or LSCOM volunteers to perform such work.

An Applicant completes and submits a Bench Donation Application. The Department provides a copy of the Application to LSCOM.

LSCOM and the Natural Resources Director review the Application and the proposed recognition language (if any), and either jointly approve or deny the application.

If the application cannot be approved as submitted, changes (including one or more alternate bench locations) will be suggested that would result in acceptance of a bench donation, if possible.

The Applicant is then contacted by the Department to discuss status and the application is amended if acceptable to the donor.

If a mutually acceptable application has been achieved, the Bench Donation Application is completed by the Department, with approvals from the donor, the Department and LSC noted, and cost information listed.

The Department submits Bench Donation Application, standard gift letter, and donor check to the Board of Selectmen for approval.

The Department orders the proper bench and recognition (if applicable). At this point, the donor cannot obtain a refund unless the bench supplier otherwise agrees. An installation date is tentatively scheduled.

The Department notifies the donor when the bench has been installed.

H. Maintenance and replacement:

The Town is not responsible for damage, theft or vandalism.

The Town may choose to attempt repair or maintenance, but is not under any obligation to do so. The Town may seek warranty replacement from the manufacturer if defects become evident.

If Town staff or LSCOM determine that a donated bench has become unsafe or would require an expenditure of time or money to repair or restore, it may be subject to removal, even if the originally anticipated economic lifetime of the bench has not yet elapsed.

I. Tax deductibility:

This policy is intended to enable donors to support the Town's conservation lands by the making of a tax-deductible contribution. Prospective donors will be encouraged to review IRS Publication #526 and to consult their tax advisors as to tax deductibility under their own financial circumstances.

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together with a non-refundable \$25.00 application fee (payable to the Town of Acton) to the Natural Resources Department.

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The Town will

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J. Reporting and Amendments:

✓ The Natural Resources Department will periodically advise the Conservation Commission of the Town of Acton regarding bench standards selected for particular Acton conservation lands or special functions (e.g., bird-watching) under this Policy.

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✓ The Department will periodically advise the Conservation Commission of all bench purchases and placements made under this Policy.

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✓ All amendments to this Policy are subject to approval by the Conservation Commission of the Town of Acton.

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K. Other:

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✓ Gifts of donated benches will be accepted only with the donors' understanding that all such benches become the property of the Town of Acton and are subject to the laws, regulations, policies and procedures that govern Town of Acton property and the Town's conservation (or, if applicable, recreation) lands.

✓ Literature and forms describing Acton's bench donation program will include the salient elements of this Policy and the following statement: "The Town of Acton does not accept responsibility for any unauthorized benches, or for the purchase, placement, maintenance, etc. of benches other than in compliance with its internal policies and procedures."

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[11/7/12 Final Draft](#)

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- Recommended for approval and adoption

[Approved](#) by Conservation Commission

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